

RESPONSE TO THE RESTRICTIONS/ELECTION REQUIREMENT

A. In the Restrictions Requirement

In the Office Action dated November 17, 2006, the Examiner has requested a restriction among the following groups of claims:

- Group I: Claims 1-86;
- Group II: Claims 87-103;
- Group III: Claims 104-116; and
- Group IV: Claims 117-125.

Applicant hereby requests examination of claims 1-86, withdrawing claims 87-125 from consideration at the present time.

B. In the Election Requirement

In the Office Action dated November 17, 2006, the Examiner also has requested an election among the following species:

Embodiment I, directed to a burner with an integrated flame arc head and truncated opposite end;

Embodiment II, directed to a burner having an igniter mounting on a perforated tab alongside a Venturi tube; and

Embodiment III, directed to a burner with a Venturi tube mounted at one end and a flame spreader at the opposite end.

The Examiner has further held that claim 1 is generic.

Applicant hereby elects Embodiment I and respectfully requests examination of claims 1-86, which are readable on the elected embodiment. Applicant explains the choice of claims elected for examination as follows:

Claim 1 has been held to be generic. Claims 2 and 3 depend from claim 1 and are equally readable on each of the three Embodiments. Therefore, claims 2 and 3 are also elected.

Claim 4, and claim 5 depending therefrom, describe a flame arc opposite to the truncated end. Therefore, claims 4 and 5 are readable on Embodiment I.

Claims 6-9 depend, directly or indirectly, from claim 1 and are readable on each of the three Embodiments. Therefore, claims 6-9 are elected.

Claim 10, and claim 11 depending therefrom, make reference to the flame arc forming head and are readable on Embodiment I.

Claim 11-12 depend, directly or indirectly, from claim 1 and are readable on each of the three Embodiments. Therefore, claims 11-12 are elected.

Claim 14, and claims 15-30 depending therefrom, make reference to the flame arc forming head and are readable on Embodiment I.

Claims 31, 35, and 38, and the claims depending therefrom, depend from claim 1 and are readable on each of the three Embodiments. Therefore, claims 31, 35, and 38, and the claims depending therefrom, are elected, except that claim 40 makes reference to the flame arc forming head and is readable on Embodiment I.

Claim 44 depends from claim 1 and is readable on each of the three Embodiments. Therefore, claim 44 is elected.

Claim 45, and claims 46-55 depending therefrom, make reference to the flame arc forming head and are readable on Embodiment I.

Claim 56 depends from claim 1 and is readable on each of the three Embodiments. Therefore, claim 56 is elected.

Claims 57-60 and claims 63-86 depend, directly or indirectly, from claim 56 and make reference to the flame arc forming head. Therefore, claims 57-60 and 63-86 are readable on Embodiment I. While claim 76 makes reference to a burner igniter, the same claim also makes reference to the flame arc forming head by depending from claim 69.

Claims 61-62 depend from claim 56 and are readable on each of the three Embodiments. Therefore, claims 61-62 are elected.

C. Timing of the Present Amendment

A petition for a two-month extension of time is submitted concurrently with the present amendment, together with a fee for \$225. Because the two-month anniversary date was a Saturday, this response is to be considered filed on the two month anniversary date because it is submitted on the following Monday.

D. Conclusion

In view of the amendments and remarks submitted herein, Applicant submits that the present application is now in condition for examination. Should the Examiner require any additional information, the Examiner is invited to contact the undersigned attorney by telephone, fax or e-mail.

Dated: February 19, 2007

Respectfully submitted,

/Franco A. Serafini/

Franco A. Serafini, Registration No. 52,207

Attorney for Applicant

Tel.: (858) 456-2898

Fax: (858) 225-3920

E-Mail: franco@patentconcepts.com

THEMIS INTELLECTUAL PROPERTY COUNSEL
7660 Fay Avenue, Suite H378
La Jolla, CA 92037